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LAW OFFICES
LEVENTHAL, SENTER & LERMAN P.L.L.C.
SUITE 600
2000 K STREET, N.W.
WASHINGTON, D.C. 20006-1809

TELEPHONE
(202) 429-8970

TELECOPIER
(202) 293-7783

May 11, 2001

RECEIVED

WWW.LSL-LAW.COM

SALLY A. BUCKMAN
(202) 416-6762

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E-MAIL
SBUCKMAN@LSL-LAW.COM

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: **Station WTGL-DT, Cocoa, Florida**

Dear Ms. Salas:

Transmitted herewith for filing with the Commission on behalf of Good Life Broadcasting, Inc., licensee of television broadcast Station WLCB-TV, Cocoa, Florida, are an original and four copies of a Petition for Rulemaking. In the Petition, Good Life requests that the Digital Television table of allotments be amended to substitute Channel 53 for Channel 51 in Cocoa, Florida.

In the event that there are any questions concerning this matter, please contact the undersigned.

Very truly yours,


Sally A. Buckman

SAB/gfe
Enclosure
cc (w/encl.): Clay Pendarvis (By Hand)
Nazifa Naim (By Hand)

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MM Docket No.

¹On October 29, 1999, Good Life filed a Petition For Rule Making requesting the substitution of Channel 25 for Channel 51 as WTGL's allotted DTV channel. That request remains pending. However, for the reasons set forth herein, Good Life has determined that the substitution of Channel 53 is preferable and will enable Good Life to relocate both its NTSC and DTV channels to the Bithlo antenna farm. Accordingly, Good Life requests that its October 29, 1999 Petition For Rule Making be dismissed coincident with the acceptance of the instant Petition.

Good Life operates WTGL with an NTSC signal on Channel 52. The station operates with an ERP of 4680 kilowatts and an antenna HAAT of 285 meters. The WTGL transmitter site is currently located approximately 12 miles west of Cocoa, Florida.

In order to improve the service currently being provided with WTGL's NTSC facilities, Good Life desires to relocate the WTGL NTSC transmitter site to the Bithlo antenna farm, and intends to file promptly an application requesting authority for this modification. This move will enable Good Life to provide improved service to residents of its current service area and to expand the area in which it provides service and to operate from the same transmitter site from which the majority of television stations in the Orlando DMA operate.

To minimize the creation of potential interference during the DTV transition period, it is recommended that adjacent channel NTSC/DTV facilities be co-located. It would not be possible to co-locate WTGL's assigned DTV channel 51 at the Bithlo antenna farm because it would cause prohibited interference to Station WOGX(TV), Ocala, Florida, which operates on Channel 51. See Engineering Statement of du Treil, Lundin & Rackley, Inc. attached hereto ("Engineering Statement"). However, Good Life could operate DTV Channel 53 from the Bithlo site in compliance with minimum spacing requirements. *Id.*

Good Life acknowledges that Channel 53 is a "non-core" channel. However, there is no alternative in-core DTV channel for WTGL available that would permit Good Life to co-locate WTGL's NTSC and DTV facilities at the Bithlo site. In its recent NPRM concerning the reallocation of the 698-746 MHz Spectrum Band, the Commission observed that there are significantly more digital assignments on Channels 52-59 than on Channels 60-69 (165

compared to 20), and acknowledged that the number of digital assignments on Channels 52-59 may increase. *In re Reallocation and Service Rules For the 698-746 MHz Spectrum Bank (Television Channels 52-59)*, GN Docket No. 01-74, released March 28, 2001 at ¶ 26. Good Life acknowledges that it will be obligated to, and Good Life fully intends to, modify Station WTGL's DTV facilities to operate on an in-core DTV channel by the conclusion of the DTV transition period.

As noted in the Engineering Statement, allotment of DTV Channel 53 would comply with all community coverage and interference requirements contained in the Commission's rules. Section 73.623(c)(2) of the rules provides that a DTV station may propose predicted interference to up to 2 percent of the population served by another DTV station provided that the station would not receive interference over more than 10 percent of its total population. As demonstrated in the Engineering Statement, the proposed DTV Channel 53 operation is in full compliance with this 2 percent/10 percent interference criteria. Moreover, locating both the WTGL NTSC and DTV operations at the Bithlo antenna farm with the majority of other stations in the Orlando DMA will eliminate problems with receiving antenna orientation that would be experienced by viewers if WTGL were to operate its DTV facilities on Channel 51, which cannot be located at Bithlo.

In sum, the change to the DTV Table of Allotments proposed in this Petition will result in a more preferential arrangement of allotments and a more equitable distribution of broadcast stations among the various communities as contemplated by Section 307(b) if the Communications Act of 1934, as amended.

If the Commission adopts the change to the Table of Allotments proposed herein, Good Life will promptly file a minor modification application for authority to construct DTV Channel 53 at the proposed transmitter site and will construct the proposed facilities as expeditiously as possible.


For the reasons set forth herein, Good Life respectfully submits that the modification to the DTV Table of Allotments proposed herein will further the public interest. Accordingly, it is respectfully requested that the Commission accept this Petition for Rule Making, issue a Notice of Proposed Rule Making proposing the requested change, and after requisite notice and comment, amend the Digital TV Table of Allotments as follows:

<u>CITY</u>	<u>Present</u>	<u>Proposed</u>
Cocoa, FL	*30, 51	*30, 53(c)

Respectfully submitted,

GOOD LIFE BROADCASTING, INC.

By:


Sally A. Buckman

Leventhal, Senter & Lerman P.L.L.C.
2000 K Street, N.W.
Suite 600
Washington, DC 20006

May 11, 2001

Its Attorneys

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
WTGL-DT
COCOA, FLORIDA

Technical Statement

This Technical Statement and associated Figures have been prepared on behalf of WTGL-DT in support of a *Petition for Rule Making* to modify the DTV allotment of WTGL-DT from channel 51 to channel 53.

DTV channel 53 can be substituted and allotted to Cocoa, Florida in compliance with the principal community coverage requirements of Section 73.625(a) at reference coordinates:

28° 35' 12" West Latitude
81° 04' 58" North Longitude

In addition, operation on DTV channel 53 appears possible with an effective radiated power (ERP) of 13 kW utilizing a non-directional antenna and an antenna height above average terrain (HAAT) of 514 meters and a radiation center of 524 meters above mean sea level. The proposed channel change is acceptable under the 2 percent criterion for *de minimis* impact applicable to DTV allotment modifications under Section 73.623(c)(2). Therefore, it is proposed to modify WTGL-DT's authorization to specify operation on the alternate DTV channel with the following specifications:

State & City	DTV Channel	DTV ERP (kW)	Antenna Radiation Center	Antenna HAAT (m)
FL, Cocoa	53	13 kW	524 m AMSL	514 m
Note: Non-Directional Antenna				
Reference Coordinates: 28° 35' 12 N. Latitude/81° 04' 58" W. Longitude				

It is also proposed to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Cocoa, FL	*31, 51		*31, 53(c)

The proposed Channel 53 is not predicted to cause interference to any low power television stations (LPTV).

Background

Station WTGL-DT is currently allotted Channel 51 for its DTV operation with an effective radiated power of 148.1 kW and an HAAT of 285 meters. Its paired NTSC facility, WTGL-TV, is on adjacent Channel 52.

WTGL-TV will be filing an application for construction permit seeking authorization for its NTSC Channel 52 facility to operate from the Bithlo tower farm, where the majority of TV stations located within the Orlando DMA operate. WTGL-TV's paired existing DTV Channel 51 cannot also be located at Bithlo due to the proximity to co-channel WOGX(TV) at Ocala, Florida.

WTGL-DT on the allocated Channel 51 at the proposed Bithlo transmitter site and specifications would cause prohibited interference to WOGX(TV) at Ocala, Florida. Based upon OET-69 interference analysis, WTGL-DT

on Channel 51 would cause interference to 5.3% of the WOGX(TV) baseline, which is prohibited by the present FCC Rules. Therefore, in order for the WTGL-TV NTSC and DTV facilities to be co-located at Bithlo, another DTV channel is necessary.

Proposal

Figure 1 is a coverage map showing the noise-limited coverage contour and the city coverage contour for the proposed facility. Also shown are the city limits of Cocoa, Florida based on 1990 Census data. As shown, all of Cocoa is encompassed within both contours. Therefore, the proposed channel 53 DTV allotment will comply with the city coverage requirements contained in Section 73.625(a).

Figure 2 provides a summary of interference and service for the proposed channel 53 allotment. Determination of interference and service was based on the procedures outlined in OET Bulletin No. 69 and criteria contained in Sections 73.622 and 73.623 of the FCC's rules.¹ It is believed that the proposed channel 53 operation is in full compliance with the FCC's 2%/10% interference criteria. No interference is predicted to any low power television station (LPTV).

¹ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 2 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.


This instant Rule Making petition is not
contingent upon any pending or future application for
construction permit for any facility.

A handwritten signature in black ink, appearing to read 'Charles Cooper', with a long horizontal flourish extending to the right.

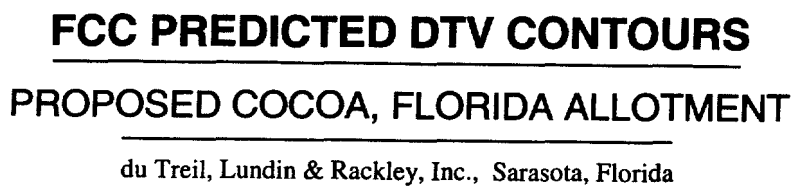
Charles Cooper

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 32437
941.329.6000

May 7, 2001



APRIL 2001



TECHNICAL EXHIBIT
 PREPARED IN SUPPORT OF
 PETITION FOR RULE MAKING TO
 MODIFY THE DTV ALLOTMENT TABLE
 WTGL-DT
 COCOA, FLORIDA

Summary of OET-69 Allocation Analysis

Facility	Channel	NTSC or DTV?	Baseline Service Population (1990)	Permissible IX(%)	Net New IX Caused by Proposed (1990)	Percent of Baseline (%)
New NTSC Crystal River, FL	39	NTSC	No Interference Predicted			
WLCB-TV Leesburg, FL	45	NTSC	No Interference Predicted			
WTGL-TV Cocoa, FL	52	NTSC	No Interference Predicted			
WWSB-DT Sarasota, FL	52	DTV	No Interference Predicted			
WGFL(TV) High Springs, FL	53	NTSC	442,821	2.0	8,768	1.98
WEDU-DT Tampa, FL	54	DTV	3,748,410	2.0	1,470	0.04
WACX(TV) Leesburg, FL	55	NTSC	No Interference Predicted			
WOPX(TV) Melbourne, FL	56	NTSC	No Interference Predicted			
New NTSC Sebring, FL	60	NTSC	No Interference Predicted			

Two square kilometer grid employed for OET-69 analysis.